

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

United States of America

v.

08 CR. 534 (SDW)

Bennett Environmental, Inc.;

Defendant.

ORDER

Due to a material change in the defendant's economic circumstances and to further the interests of justice, the defendant shall pay the remainder of its fine and restitution according to the following terms:

- A. The total remaining balances of the fine and restitution amounts due under the Judgment are \$800,000 and \$1,362,000, respectively.
- B. The defendant shall pay the total remaining balances of the fine and restitution amounts, in four equal installments, on the following dates: March 31, 2011; June 30, 2011; September 30, 2011; and December 31, 2011.
- C. Restitution Payments shall be made to the Clerk of the Court who will then compensate the victim, the U.S. Environmental Protection Agency, by check and sent to the following address along with a copy of the Judgement:

United States Environmental Protection Agency, Superfund Payments
Cincinnati Finance Center
PO Box 979076
St. Louis, MO 63197-9000

The accompanying letter should include a reference to the "Federal Creosote Superfund Site in Manville, New Jersey."

D. The Company shall pay the full amount of the restitution set forth in the Judgment (\$1,662,000), even if the United States receives additional restitution payments from the other co-conspirators. Those co-conspirators that may be also held liable for restitution are the defendants in the following matters:

1. U.S. v. Zul Tejpar, 08 CR. 912 (SDW);
2. U.S. v. Robert P. Griffiths, 09 CR. 506 (SDW);
3. U.S. v. Gordon D. McDonald, 09 CR. 656-1 (SDW); and
4. U.S. v. John A. Bennett, 09 Cr. 656-2 (SDW)

E. All other terms of the Judgment shall remain unchanged.

SO ORDERED:

Hon. Susan D. Wigenton, U.S.D.J.

Dated: Newark, New Jersey
February 8, 2011